

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAZEN VERMEULEN, et al.

Case No. 1:23-cv-901

Plaintiffs,

v.

HON. ROBERT J. JONKER

VICKSBURG COMMUNITY
SCHOOLS, et al.,

Defendants.

SECOND CASE MANAGEMENT ORDER

The parties' stipulation adjourning Case Management Order (ECF No. 27) is **GRANTED**.

Pursuant to the discussion held at the Rule 16 Scheduling Conference on November 30, 2023, the Court declined to exercise supplemental jurisdiction on Plaintiffs' state law claims. Accordingly, Counts 3-6 are **DISMISSED WITHOUT PREJUDICE**.

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|----------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------|
| Motions or Stipulations to Join Parties or Amend Pleadings | By motion or stipulation | |
| Rule 26(a)(1) Disclosures (including lay witnesses) | Plaintiffs: | DECEMBER 29, 2023 |
| | Defendants: | DECEMBER 29, 2023 |
| Disclose Name, Address, Area of Expertise and a short summary of expected testimony of Expert Witnesses (Rule 26(a)(2)(A)) | | |
| Party with the Burden of Proof: Responding Party: | | JUNE 29, 2024 JULY 30, 2024 |
| Disclosure of Expert Reports (Rule 26(a)(2)(B)) | | |
| Party with the Burden of Proof: Responding Party: | | JUNE 29, 2024 JULY 30, 2024 |
| Production of Documents | Plaintiffs: Defendants: | DECEMBER 15, 2023 DECEMBER 15, 2023 |
| Completion of Discovery | | SEPTEMBER 29, 2024 |
| Dispositive Motions | | OCTOBER 30, 2024 |
| Interrogatories will be limited to: (Single Part Questions) | | 25 single part questions |
| Depositions will be limited to: (Fact Witnesses Per Party) | | 10 per party |

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|--------------------------------------------------------------------------------|----------------------------------------------------|
| Requests for Admission will be limited to: (Per Side) | 10 per side |
| ADR To Take Place On Or Before: | None at this time |
| Second Rule 16 Scheduling Conference - Updated Joint Status Report due: | NOVEMBER 25, 2024 11:00 AM November 18, 2024 |

1. **JOINDER OF PARTIES AND AMENDMENTS OF PLEADINGS:** All motions or stipulations for joinder of parties and all stipulations to amend the pleadings must be filed by the date set forth in the table above to ensure amendment as a matter of consent under Rule 15(a)(2). Proposed amendments after the noted date are by leave of court.
2. **DISCLOSURES AND EXCHANGES:** Deadlines for exchange of Rule 26(a)(1) disclosures, names of lay witnesses, identification of experts, production of documents, and disclosure of expert reports under Rule 26(a)(2), if applicable, are ordered as set forth in the table above.
3. **DISCOVERY:** All discovery proceedings shall be completed no later than the date set forth in the table above, and shall not continue beyond this date. All interrogatories, requests for admissions, and other written discovery requests must be served no later than thirty days before the close of discovery. All depositions must be completed before the close of discovery. Interrogatories will be limited as set forth in the table above. Depositions will be limited as set forth in the table above. There shall be no deviations from this order without prior approval of the court upon good cause shown. Time limitations for depositions set forth in Rule 30(d)(1) apply to this case.
4. **MOTIONS:**
 - a. Non-dispositive motions shall be filed in accordance with W.D. Mich. LCivR 7.3. They may be referred to a magistrate judge in Grand Rapids, Michigan, pursuant to 28 U.S.C. § 636(b)(1)(A). In accordance with 28 U.S.C. § 471, et seq., it is the policy of this Court to prohibit the consideration of discovery motions unless accompanied by a certification that the moving party has made a reasonable and good faith effort to reach agreement with opposing counsel on the matters set forth in the motion.
 - b. Dispositive motions shall be filed in accordance with W.D. Mich. LCivR 7.2 by the date set forth in the table above. If dispositive motions are based on supporting documents such as depositions or answers to interrogatories, only those excerpts which are relevant to the motion shall be filed. The case manager will notify counsel of the date for oral argument.
5. **ALTERNATIVE DISPUTE RESOLUTION:** No form of ADR is ordered at this time. The parties shall be prepared to discuss ADR during the Second Rule 16 Conference. Should they wish to undergo a form of ADR or an early settlement conference with a magistrate judge prior to that time, they shall inform the Court in writing.

Dated: April 29, 2024

/s/ Robert J. Jonker
 ROBERT J. JONKER
 UNITED STATES DISTRICT JUDGE